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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/565,197	01/20/2006	Jun-Chul Kim	P29109	9527

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EXAMINER	
TEATERS, LINDSEY C	
ART UNIT	PAPER NUMBER
4184	

NOTIFICATION DATE	DELIVERY MODE
01/23/2009	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	10/565,197	KIM, JUN-CHUL	
	Examiner	Art Unit	
	LINDSEY C. TEATERS	4184	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *20 January 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *20 January 2006* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☒ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *05/04/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Specification

1. 35 U.S.C. 112, first paragraph, requires the specification to be written in "full, clear, concise, and exact terms." The specification is replete with terms which are not clear, concise and exact. The specification should be revised carefully in order to comply with 35 U.S.C. 112, first paragraph. Examples of some unclear, inexact or verbose terms used in the specification are: "Further, since savory favor and ingredient in peculiarity is vaporized on heating" (page 3, line 5, spec), and "the problem in the conventional roaster that parts of condiment" (page 4, lines 15-16, spec).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claim 1 is rejected under 35 U.S.C. 102(b) as being anticipated by Kim (KR 1020020070942), cited by applicant, the English translation of which is attached hereto. This translated document where hereafter be referred to as an equivalent to Kim in the following rejections.

Re claim 1:

1. (Original) A roaster *(figure 4)* for seasoning marine algae, comprising:

--a main body *(10, figure 4)* comprised of an supplying unit *(11, figure 4)* formed to add raw material into an upper part thereof and an opening unit *(see figure 1, gap in the lower front of the main body)* capable of slidingly and horizontally inserting a container *(80, figure 4)* into a lower part thereof *(container 80, figure 4 is inserted in opening unit of figure 1)*;

--a roasting container *(30, figure 4)* formed onto an inner, upper part of the main body *(see figure 4)* and configured to discharge downward the raw material through a discharging gate *(34, figure 4)* after keeping the raw material sealed for a predetermined time *(page 4, paragraph 9, specification)*;

--a cooking oil feeder *(130, figure 4)* formed in a side of the roasting container *(see figure 4)* to automatically supply a fixed quantity of cooking oil *(page 4, paragraph 1, lines 7-9, specification)* for the raw material added therein to easily be agitated without rubbing *(page 4, paragraph 7, lines 2-3, specification)*;

--a heater *(32, figure 4)* for heating the roasting container at an established temperature for the predetermined time *(page 4, paragraph 6, lines 1-5, and paragraph 9, lines 2-3, specification)*;

--a roasting agitator *(90, figure 4)* configured for both ends of a pivotal pole thereof to be supportably placed across the roaster *(see figure 4)* to rotate and for agitating a collected raw material *(page 4, paragraph 7, lines 2-3, specification)* to equally be heated in the roaster *(page 4, paragraph 6, lines 1-6)* rotated at a fixed velocity for the predetermined time *(page 5, paragraph 10, specification)* with a power transmission attached thereto *(20, figure 4)*;

--a shutter *(41, figure 6)* rotating clockwise and counter-clockwise *(page 4, paragraph 9, lines 2-3, specification)* with a separate power transmission *(40, figure 6)* at a fixed angle for the

discharging gate to stay open for a predetermined time after sealing the discharging gate of the roaster for a fixed time *(page 4, paragraph 10, lines 3-4, page 5, paragraph 1, lines 1-3, specification)*;

--a collection cooking container *(60, figure 4)* for collecting a class of condiments including various kinds of seasoning, sesame oil, and flavor *(page 3, paragraph 8, line 8, specification)* each selectively dispersed from a plurality of condiment containers *(110, 120, 130, figure 4)* as well as for receiving a firstly processed raw material collected through the opening unit of the main body and discharged through the discharging gate of the roaster *(page 4, paragraph 9, lines 1-2, paragraph 1, lines 2-7, specification)*;

--a condiment collection unit *(housing for 110, 120, 130, see figure 4)* to store a class of condiments including various kinds of seasoning, sesame oil, and flavor *(page 3, paragraph 8, lines 8, specification)*, and to detachably collect a plurality of condiment containers for selectively providing a certain amount of seasoning necessary into the collection cooking container *(page 4, paragraph 8, lines 2-4, paragraph 2, lines 5-6, specification)*;

--a cooking agitator *(100, figure 4)* configured for both ends of a pivotal pole thereof to be supportably placed across the collection cooking container *(see figure 4)* and coupled thereon to rotate at a fixed rate *(page 5, paragraph 10, specification)* with a separate power transmission *(50, figure 4)* such that the processed material collected into the collection cooking container can be uniformly mixed with the class of condiments *(page 5, paragraph 7, specification)* and each wing of the second agitator can be positioned in upper direction at the completion of the process by each wing of the second agitator being arranged at least at a certain angle toward a horizontal plane to be easily released without the collection cooking container's being interrupted when it is

necessary for the collection cooking container to be released *(see figure 4, removable container 80 will not be affected by the agitator when it is time for removal)*; and

--a controlling unit *(15, figure 4)* electrically connected to each member above to control each operation in sequence *(page 4, paragraph 1, lines 7-9, page 5, paragraph 10, specification)*.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 2, 3, and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (KR 1020020070942), cited by applicant, in view of Wood (US 6,915,657 B1).

Re claim 2:

Kim fails to teach a guide rail installed in both sides of the inner part of the opening unit to guide the collection cooking chamber as it is inserted and released. Wood, however, teaches guide rails (100, figure 12) on both sides of a chamber so that it may be guided into and out of position within a housing (column 8, lines 25-27, specification).

In view of Wood's teachings, it would have been obvious to one of ordinary skill in the art at the time of invention to include guide rails with the collection cooking chamber, taught by Kim, to guide the chamber for insertion into and release from the main body. Guide rails are an

effective, simple, and cost effective way to hold a container within a housing. This type of system has been used for decades in drawer design in fields like furniture and appliances.

Re claim 3:

Kim fails to teach a sensor mounted on a rear side of an inner part of the opening unit to detect whether or not insertion of the collection cooking chamber is stably performed. Wood, however, teaches a sensing system to detect whether or not a chamber is stably secured within a housing (column 16, lines 36-47, specification, a sensing means to detect stable insertion can include magnetic means, clasping means, or simply a wedge fit which secures the housing upon insertion).

In view of Wood's teachings, it would have been obvious to one of ordinary skill in the art at the time of invention to include a sensor to monitor the stability of the insertion of the collection cooking chamber, taught by Kim. Using a sensor in combination with the collection cooking chamber is beneficial so that the user will know that the collection cooking chamber is steadily inserted and is positioned accurately for reception of the food product. A sensor to detect stable insertion of a chamber into a housing can be anything that would in some way refuse motion to release the chamber ranging from hooks, catches, latches, locks, etc. All of these types of assemblies are commonplace in mechanical connections and have been used for many years in a wide variety of applications.

Re claim 8:

Kim, modified by Wood, regarding claim 2, fails to teach a sensor mounted on a rear side of an inner part of the opening unit to detect whether or not insertion of the collection cooking chamber is stably performed. Wood, however, also teaches a sensing system to detect whether or not a chamber is stably secured within a housing (column 16, lines 36-47, specification, a sensing means to detect stable insertion can include magnetic means, clasping means, or simply a wedge fit which secures the housing upon insertion).

In view of Wood's teachings, it would have been obvious to one of ordinary skill in the art at the time of invention to include a sensor to monitor the stability of the insertion of the collection cooking chamber, taught by Kim, as modified by Wood. Using a sensor in combination with the collection cooking chamber is beneficial so that the user will know that the collection cooking chamber is steadily inserted and is positioned accurately for reception of the food product. A sensor to detect stable insertion of a chamber into a housing can be anything that would in some way refuse motion to release the chamber ranging from hooks, catches, latches, locks, etc. All of these types of assemblies are commonplace in mechanical connections and have been used for many years in a wide variety of applications.

6. Claims 4 and 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (KR 1020020070942), cited by applicant, in view of Lee (KR 20-0265539), cited by applicant, the English translation of which is attached hereto. This translated document where hereafter be referred to as an equivalent to Lee in the following rejections.

Re claim 4:

Kim fails to teach a roasting agitator comprised of at least two wings, each wing including a wing body and a wing member, the wing member coupled to one end of the wing body, extending in a longitudinal direction to the pivotal pole, and formed to have a twist at one end facing one end of the other wing member, the wing body arranged by direction of a radius from the pivotal pole maintaining 180 degree of an interval to the other. Lee, however, teaches a roasting agitator (35, figure 9) with at least two wings (appendages extending from 35, figure 9), each wing having a wing body (portion of appendages perpendicular to central pivotal pole, figure 9) and a wing member (portion of appendages parallel to central pivotal pole, figure 9), the wing member couple to one end of the wing body (see figure 9), and formed to have a twist at one end facing one end of the other wing member (see figure 9), the wing body extendedly arranged by direction of a radius from the pivotal pole maintaining 180 degree of an interval angle to the other (see figure 9).

In view of Lee's teachings, it would have been obvious to one of ordinary skill in the art at the time of invention to include the specific structure above with the roasting agitator, taught by Kim. Many different structures of stirrers and agitators have been used in this art and other for many years. The specific structure of the roasting agitator is a matter of choice, and since this structure is not said to provide a particular benefit to the invention, it is considered as such.

Re claim 7:

Kim fails to teach a cooking agitator comprised of at least two wings, each wing including a wing body and a wing member, the wing member coupled to one end of the wing body, extending in a longitudinal direction to the pivotal pole, and formed to have a twist at one

end facing one end of the other wing member, the wing body arranged by direction of a radius from the pivotal pole maintaining 178 degree of an interval to the other. Lee, however, teaches a cooking agitator (35, figure 9) with at least two wings (appendages extending from 35, figure 9), each wing having a wing body (portion of appendages perpendicular to central pivotal pole, figure 9) and a wing member (portion of appendages parallel to central pivotal pole, figure 9), the wing member couple to one end of the wing body (see figure 9), and formed to have a twist at one end facing one end of the other wing member (see figure 9), the wing body extendedly arranged by direction of a radius from the pivotal pole maintaining 178 degree of an interval angle to the other (see figure 9, seems to be approximately 180 degrees, which a diversion of 2 degrees from which is very insignificant and has not been shown to provide any true benefit to the heart of the invention).

In view of Lee's teachings, it would have been obvious to one of ordinary skill in the art at the time of invention to provide a cooking agitator, taught by Kim, with the specific structure detailed above. Many different structures of stirrers and agitators have been used in this art and other for many years. The specific structure of the roasting agitator is a matter of choice, and since this structure is not said to provide a particular benefit to the invention, it is considered as such.

7. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (KR 1020020070942), cited by applicant, in view of Elliott et al (US 2003/0149328 A1).

Re claim 5:

Kim teaches a sealing plate (41, figure 6) to cover the discharging gate (page 4, paragraph 9, lines 2-3) incised in a predetermined width in a longitudinal direction to the roaster (see figures 4 and 6).

Kim also teaches shutter mechanism to controls timed opening and closing of the shutter (page 4, paragraph 10, page 5, paragraph 1, specification), but fails to teach that the shutter includes a pivotal pole formed in a longitudinal direction on one side of the sealing plate, the pivotal pole having both ends pivotally coupled to the main body such that the sealing plate circles at a predetermined angle, a pair of light sensors to perceive a rotating position of the pivotal pole, each sensor attached around the pivotal pole to one wall of the main body supporting the pivotal pole, and a light isolating pole circulating with the pivotal pole to prevent each light sensor radiating and receiving the light, positioned at one end of the pivotal pole in the one wall of the main body with the light sensor attached thereto. Elliott et al, however, teaches a pivotal pole (62, figure 5) and a pair of light sensors (126 and 127, figure 5) which perceive the position of the pivotal pole (paragraph [0047] lines 15-21), each sensor attached around the pivotal pole (see figure 5), and a light isolating pole (62, figure 5) that circulates with the pivotal pole to prevent each light sensor from radiating and receiving the light (the pivotal pole serves the same function as the light isolating pole).

In view of Elliott et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of invention to include the specified structure for with the shutter, taught by Kim. The shutter assembly needs to open and close based on a predetermined time. Many means that function equally well have been used in the art for years, such as that disclosed in

Kim (page 4, paragraph 10, page 5, paragraph 1) where touch switches control the up and down motion of the shutter in a timed sequence.

8. Claim 6 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kim (KR 1020020070942), cited by applicant, in view of Aoki et al (US 5,716,253).

Re claim 6:

Kim fails to teach that the collection cooking chamber is made of transparent synthetic resin. Aoki et al, however, teaches a chamber make of transparent synthetic resin (column 9, lines 11-12, and 19, specification).

In view of Aoki et al's teachings, it would have been obvious to one of ordinary skill in the art at the time of invention to make the collection cooking chamber, taught by Kim, out of transparent synthetic resin. Transparency, especially when dealing with inside a cooking chamber, is important so that the user can monitor the contents of the chamber from the outside without having to disrupt the cooking process or risk burning oneself. Such need to be able to see through the container is disclosed in Aoki et al (column 9, lines 22-24, specification). Using synthetic resin is a beneficial choice because it is durable, cost efficient, and heat resistant.

Conclusion

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Kitahara et al (JP 2001061449 A) teaches a seaweed roasting apparatus with an inlet, oil feed system, seasoning tank, and stirring unit.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to LINDSEY C. TEATERS whose telephone number is 571-270-5913. The examiner can normally be reached on Mon-Thurs 8:30am-6:00pm :: alternating Fri 8:30am-4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jared Fureman can be reached on 571-272-2391. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/LINDSEY C TEATERS/
Examiner, Art Unit 4184

/Jared J. Fureman/
Supervisory Patent Examiner, Art Unit 4184

01/06/2009